



# Forest Heights Police Department Policy and Procedures Manual

Subject:	Firearms Issued and Approved and Related Equipment			
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## A. Purpose

To establish Forest Heights Police Department (FHPD) policy for the issuance, carrying and maintenance of firearms.

## B. Policy

Officers will carry, use and maintain firearms in accordance with this policy.

## C. Carrying Firearms

- When an officer is on-duty, he will:
  - be armed with a FHPD-issued handgun; and
  - carry his badge or FHPD identification card, unless in a covert assignment.
- When an officer is off-duty, he:
  - may carry a FHPD-issued handgun or a secondary approved firearm; and
  - will carry his badge or FHPD identification card, unless assigned to a covert unit or if unreasonable or impractical.
- When required to carry a handgun, officers will carry the handgun on their person.

## D. Firearms in Court

- While attending any court where carrying or displaying of firearms is restricted, officers will comply with those restrictions.
- While attending any court as a defendant in a criminal trial, a plaintiff in a civil trial, or while serving as a juror, an officer will not carry a firearm.
- An officer will not carry a firearm when he is a defendant in a civil trial unless the trial is a result of his official duties as a police officer.

## E. Issuance of Firearms

- FHPD firearms will be issued to individuals.
- If an officer is placed on extended leave or suspended for more than 30 days, the officer's issued firearm will be submitted to the Chief with a written explanation of the circumstances.
- Only the FHPD Chief will authorize the transfer of firearms.
  - No firearms will be transferred without first being inspected by a FHPF approved armorer.
  - Any firearm returned or scheduled for transfer will be forwarded to the Chief accompanied by a written explanation of the reason for return or transfer.
  - All firearms returned to the Chief will be inspected by a certified armorer before being issued.

## F. Safety and Security

- Only officers and those civilian employees specifically authorized by the nature of their assignment to do so, may use, clean or otherwise handle FHPD-issued firearms.
- An officer should turn over his weapon for inspection only to a supervisor or a firearms instructor, and only after the weapon has been completely unloaded.

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3. All firearms should be unloaded in a safe manner and made safe before storage or may be secured while loaded in a locked storage area or container.
4. When stored in a motor vehicle, handguns must be secured in a locked trunk or in a locked storage compartment if the vehicle has no trunk.
5. When stored in a vehicle that does not have a trunk shotguns will be secured in an appropriate case.
6. When an officer is off-duty and his vehicle is not being used, all firearms, including personally owned firearms, will be removed from the vehicle.
7. In all FHPD facilities, firearms will be kept out of the reach of the public and will not be left unsecured or unattended.
8. An officer will not store or leave a loaded firearm in any location where, except in the case of unlawful entry, an unsupervised minor would gain access to the firearm.
9. All officers will be provided with trigger lock for the issued firearm.

### **G. Firearm Inspection and Cleaning**

1. Officers will regularly inspect and maintain their firearms, extra magazines, ammunition and leather to prevent accumulation of dirt, the formation of rust or corrosion and excessive wear.
2. Firearms will be cleaned in a safe location that is free from distraction at least once a month, after they have been fired or when subjected to inclement weather or other contaminants.
3. Prior to cleaning, all weapons will be checked to ensure that they are unloaded and safe.

### **H. Repairs to Firearms**

1. Only an approved FHPD armorer may repair or to have repaired all FHPD firearms; officers will not make any repairs or modifications to FHPD firearms.
2. Any officer who believes his FHPD-issued firearms is unsafe will immediately notify a supervisor and will not use the firearm until it has been inspected by an armorer.
3. If a FHPD-issued firearm requires repairs or adjustments, the officer to whom it is issued will:
  - a. make an appointment with the FHPD designated armorer;
  - b. deliver the firearm to the armorer at the scheduled appointment time; and
  - c. complete or have the armorer complete a written documentation as to what was done to the firearm.
4. After the repairs and adjustments have been made, the firearm will be test-fired by the repairing armorer or a firearms instructor, and by the officer to whom the firearm is issued as soon as possible.
5. If the armorer believes that he cannot repair the firearm:
  - a. the officer who was issued the firearm will be immediately issued a replacement firearm; and;
  - b. the original firearm will be taken out of service until repairs can be completed or the firearm can be replaced.
6. If the slide or sights are replaced, the officer issued the weapon will be required to fire a day fire qualification course

### **I. Initial Firearms Instruction**

Prior to being permitted to carry a firearm, all officers will receive training on, and a copy of, the FHPD policies regarding use of firearms, use of force and use of force reporting.

### **J. Personally-Owned Weapons**

For firearms approved for off-duty use, the FHPD follows the list maintained by the Maryland State Police Education and Training Division that specifies which firearms and optics may be

carried.

**K. Off-Duty Handguns**

1. A handgun may be used as an off-duty weapon if it:
  - a. is a semi-automatic handgun;
  - b. uses .380 caliber or larger ammunition;
  - c. has at least an eight pound trigger pull;
  - d. is double action only;
  - e. contains a firing pin block;
  - f. does not have or require grip safety or grip cock; and
  - g. holds at least six rounds when used as an off-duty weapon
2. If a handgun that holds fewer than eight rounds is used as an off-duty weapon, a second magazine must be carried.
3. An officer who is off-duty and is the operator or a passenger in a FHPD vehicle will carry the FHPD issued handgun on his person.
4. An officer will not carry more than two handguns on his person at any time.
5. Once approved, officers will complete annual day and night fire qualification courses with a minimum of 70% on each course with each approved secondary handgun annually.
6. Officers who fail to qualify or chooses not to qualify with an approved off-duty handgun, during any semi-annual qualification course will forfeit the privilege to carry that firearm as an off-duty weapon.

**L. Shotguns**

1. Only Remington 870, Winchester 1300 and Mossberg 500 Series 12-gauge pump action shotguns may be carried and any additional shotguns the Maryland State Police approves for on-duty MSP use.
2. Approval will be limited to one shotgun per officer at any time.
3. Officers may only use and carry Maryland State Police approved shotguns while on-duty.
4. Shotguns that are carried in FHPD vehicles will:
  - a. be secured in an appropriate case in the vehicle's trunk;
  - b. will be carried with a fully loaded magazine, but no ammunition will be in the chamber (i.e., car-carry condition);
  - c. not be laid on the seat or carried in any way that would allow them to be thrown about inside the vehicle.
5. Officers desiring to carry a shotgun will complete day and night fire qualification courses
6. with a minimum of 70% with the approved shotgun, annually.

**M. Request to Purchase Regulated Firearms for Law Enforcement Purposes**

1. Federal Requirements
  - a. 8 U.S.C. § 925(a)(1), allows law enforcement officers to purchase semi-automatic assault weapons, destructive devices and other regulated firearms (typically stamped with wording to the effect "For Law Enforcement Use Only") for use in their official duties.
  - b. This exemption only applies to regulated firearms and assault weapons, as defined in Criminal Code Article, §4-301(d), Annotated Code of Maryland, that the officer purchases with the intent to use and carry in the performance of his official duties.
  - c. Officers purchasing a handgun under this exemption will complete the applicable qualification course as soon as practical after receiving the weapon.
  - d. Officers purchasing a regulated firearm for personal use are not exempt under this section and

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must abide by all applicable Maryland statutes.

- f. An officer wishing to purchase a regulated firearm for law enforcement purposes will:
  - (1) submit a request to the FHPD Chief that includes the make, model, caliber and type of firearm that he would like to purchase; and
  - (2) request that the Chief provide written certification on FHPD letterhead stating specifically that:
    - (a) the officer is a member in good standing with FHPD;
    - (b) the officer is permitted by the FHPD to use and carry the regulated firearm while acting within the scope of his official duties; and
- g. A records check reveals that the purchasing officer has not been convicted of a misdemeanor crime of domestic violence which includes probation before judgment for any crime deemed to be domestically-related and mental health provisions as defined in Health-General Article, §10-101, Annotated Code of Maryland. The FHPD Chief or designee, will contact the Maryland State Police (MSP) Training Division and inquire if the firearm is on the MSP list of approved secondary weapon and:
  - (1) note on the request the date and time of verification and the name of the MSP member consulted;
  - (2) note on the request whether the firearm is approved or not approved; and
  - (3) provide the requesting officer the written certification.
- h. A copy of the request will be placed in the officer's auxiliary personnel file.

### **N. Approval and Registration of Personally-Owned Firearms**

- 1. All personally-owned firearms must be approved prior to being carried by officers.
- 2. Officers must demonstrate proficiency in use, carrying and cleaning of the firearm to a firearms instructor prior to approval.
- 3. An officer requesting to carry a personally-owned firearm will:
  - a. submit a request and to carry the weapon;
  - b. ensure that the firearm is inspected by a FPPD approved armorer, certified for that weapon;
  - c. ensure that the armorer provides written certification that he completed and approved the firearm;
  - d. submit the proper documentation to the FHPD Chief or designee;
  - e. complete a day fire qualification course with a minimum score of 70%;
- 4. Any adjustment or modification to an approved personally-owned firearm requires prior approval and a re-inspection by a certified FHPD authorized armorer prior to use and carry.
- 5. Officers approved to use and carry a personally-owned firearm are responsible for all expenses associated with repairing and maintaining these weapons

### **O. Ammunition**

- 1. Only FHPD-issued ammunition will be used and carried in the FHPD issued and off-duty use firearms as well as all shotguns.
- 2. Annually, officers will be issued 34 rounds of service ammunition and 34 rounds of off-duty ammunition.
- 3. FHPD issued ammunition is: Hydrashok JHP 124 grain, .40 caliber.

### **P. Holsters**

- 1. An officer may only use FHPD-issued or FHPD-approved holsters, magazine pouches and gun belts unless he is in a covert assignment and he has received approval to carry a secondary

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handgun as a primary handgun.

2. When in uniform, the primary handgun will only be carried in a Safariland Holster with the Automatic Locking System (ALS).
3. Officers in non-uniform or covert assignments will carry the handgun in an approved holster that provides concealment and Level 2 retention.
4. While off-duty, officers will carry a handgun in an approved holster.
5. An officer must qualify with the holster that he intends to carry off-duty.

### **Q. Weapon-Mounted Lighting Systems**

1. An officer who wishes to use a weapon-mounted light system will:
  - a. bear all costs associated with purchasing and maintaining the equipment;
  - b. participate in a night fire qualification course using both the holster and weapon mounted light; and
  - c. submit a request for approval to use non-issue equipment, to the FHPD Chief prior to using the weapon mounted light while on duty.
2. Firearms instructors will be requested to ensure that all officers who participate in a night fire qualification course with a weapon-mounted light system are using equipment that complies with this directive.
3. The FHPD Chief or designee will confirm that the:
  - a. weapon-mounted light system an officer requests to use complies with this policy; and
  - b. officer has attended an approved night fire qualification course using the weapon-mounted light system prior to approving the use of the light system.
4. Approved Holsters
  - a. The Safariland, Model 6365 ALS® holster is the only holster approved for purchase that accommodates a weapon-mounted light system. Officers must specify "plain black, leather look, Safarilaminated finish" when ordering.
  - b. The following model numbers will be used when purchasing holsters:
    - (1) Right Hand: 6365-832-61
    - (2) Left Hand: 6365-832-62
5. Approved Light Systems
  - a. Only weapon-mounted light systems from the following vendors are approved:
    - (1) Streamlight;
    - (2) SureFire; and
    - (3) Insight.
  - b. Any weapon-mounted light will be equipped with a toggle switch for on/off operation.
  - c. Pressure switches, modifications from factory settings and lasers are not permitted.
6. Use
  - a. When carrying a weapon-mounted light system, an officer must also carry a flashlight on his gun belt.
  - b. Under no circumstance, will the weapon-mounted light be used for general illumination unless there is justification to have the weapon un-holstered.